

## District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Huntington

Date: 3/14/2012

Case Number 3:11-cv-0579

Case Style: Kathryn Ann Hemetek vs. USA

Type of hearing Evidentiary Hearing

Before the honorable: 25BE-Eifert

Court Reporter Teresa Harvey

Courtroom Deputy Lynn Cooper

Attorney(s) for the Plaintiff or Government Edward H. Weis (FPD)

Attorney(s) for the Defendant(s) Joshua C. Hanks, AUSA

Law Clerk David Boylan

Probation Officer

Trial Time

Motion to suppress or other evidentiary hearing. Type: Evidentiary Hearing

Non-Trial Time

Court Time

11:58 am to 2:42 pm

Total Court Time: 2 Hours 44 Minutes Court actively conducting trial proceedings/Contested proceedings

Courtroom Notes

Hearing scheduled: 12:00 p.m.

Hearing commenced: 11:58 a.m.

Evidentiary Hearing - Civil Action No. 3:11-cv-00579 and Criminal No.: 3:08-cr-00198

[67] Motion by Kathryn Ann Hemetek to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. 2255

Movants Witness - Kathryn Hemetek - sworn and examined.

Movants Witness - Walter Farmer - sworn and examined.

Movants Witness - James Wilson - sworn and examined.

Movants Exhibit 1 - copy of document dated 12/13/2010 To: Interested Parties, From: James E. Wilson - admitted.

Respondents Witness - L. Thompson Price - sworn and examined.

Respondents Exhibit 1 - copy of proposed plea agreement addressed to L. Thompson Price dated 10/15/2008 - admitted.

Respondents Exhibit 2 - copy of e-mail from Josh Hanks to Tom Price dated 01/08/2009, discussing plea - admitted.

Movants Exhibit 2 - notes of Tom Price dated 12/30/2008 - admitted.

Movants Exhibit 3 - notes of Tom Price dated 11/11/2008 re: meeting with Hemetek - admitted.

Movants Exhibit 4 - notes of Tom Price dated 1/4/2008 - admitted.

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Movants Exhibit 5 - copy of e-mail dated 01/08/2009 and notes of Tom Price (3 pages) - admitted.

Movants Exhibit 6 - notes Tom Price dated 04/06/2009 regarding phone call - admitted.

[72] Motion for Bond by Kathryn Ann Hemetek

Court takes motions under advisement and will issue a Proposed Findings and Recommendation.

Defendant remanded to custody of U.S. Marshal Service.

Hearing ended: 2:42 p.m.